



BURKHALTER KESSLER  
GOODMAN & GEORGE LLP

REPLY TO:

IRVINE OFFICE

2020 MAIN STREET, SUITE 600

IRVINE, CA 92614

T 949.975.7500 | F 949.975.7501

WESTLAKE VILLAGE OFFICE

340 NORTH WESTLAKE BOULEVARD, SUITE 110

WESTLAKE VILLAGE, CA 91362

T 805.373.1500 | F 805.373.1503

WWW.BKGGLAW.COM

WRITER'S EMAIL  
dkessler@bkglaw.com

FILE NUMBER  
GAR03-01

**MEMO ENDORSED**

March 19, 2008

VIA FACSIMILE ONLY

Hon. Richard M. Berman  
United States District Court Judge  
500 Pearl Street, Room 650  
New York, New York 10007-1312

Re: Old Ladder Litigation Co., Ltd. v. Investcorp. Bank Ltd.

Dear Judge Berman:

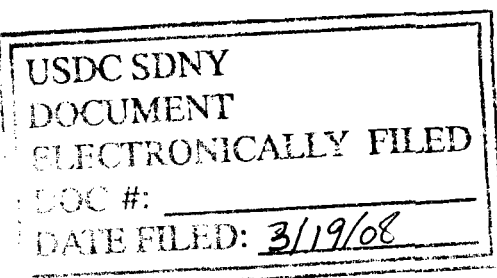
<p>As the organizational conference is scheduled for tomorrow, I'd like counsel present + I'd like them to meet + confer on case mgt plan, proper venue, settlement, etc. in advance of the conference.</p>	
<p>SO ORDERED: 3/19/08</p>	<p><i>Richard M. Berman</i> Richard M. Berman, U.S.D.J.</p>

I am writing this letter to request permission for my office to appear telephonically at the Status Conference currently scheduled for your courtroom on March 20, 2008 at 9:30 a.m. in the above-referenced matter.

Magistrate Katz has granted permission to appear telephonically at the Discovery Schedule hearing to take place in Department 17A immediately following the Status Conference.

Yesterday my associate sent an email to all counsel notifying them of our intent to seek permission to attend the Status Conference telephonically. To date, we have received three responses, all stating that they had no objection. We have not received any objections.

This morning, we left a voicemail for plaintiff's counsel, Cynthia Gomez, to verify plaintiffs had no objection, and followed up a second time with her secretary, but could only leave another voicemail. We have not heard from her as of the writing of this letter.

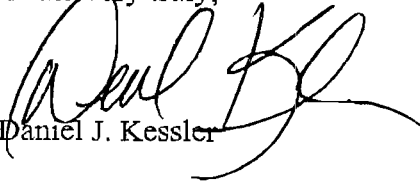


Hon. Richard M. Berman  
March 19, 2008, 2007  
Page 2

If you grant permission to attend telephonically, Thomas Kelch would do so on behalf of our clients, Garcell defendants. If our telephonic appearance is acceptable, please have your staff contact my secretary, Sandra Pettit, to arrange logistics most convenient to the Court.

Thank you for your consideration.

Yours very truly,



Daniel J. Kessler

DJK:slp

cc: Clients  
See service list (by email)